

### REMARKS

Applicants have preliminarily amended the application to include a revised Sequence Listing correcting deficiencies noted in the Raw Sequence Error Report of March 30, 2001, and to include sequence identifiers of the Sequence Listing in the specification. The Figures have been revised to reflect these sequence identifiers. No new matter will be introduced via these amendments to the application as originally filed.

A Notice to Comply was not received from the USPTO, despite the Examiner's reference to same in paper number 12. Thus, no copy of the Notice accompanies this Response.

Moreover, although the Examiner instructed Applicants to include a copy of a CRF Diskette Problem Report allegedly mailed with paper number 12, this Report was not in the envelope mailed from the PTO on June 21, 2001, and received by Applicants on June 25, 2001. After repeated telephone calls to the Examiner and her supervisor, a fax copy of a Raw Sequence Error Report dated March 30, 2001 was forwarded from the Examiner's supervisor to Applicants' agent on September 20, 2001, essentially three months after paper number 12 was mailed from the USPTO. A copy of this report is enclosed, together with an accompanying Petition for a refund of fees incurred by Applicants for extensions of time taken in order to obtain the Raw Sequence Error Report needed to reply to the outstanding one month Office communication.

Applicants respectfully submit that the enclosed paper form of the Sequence Listing addresses the issues raised in the Raw Sequence Error Report, and does not include new matter. A computer readable form of the Sequence Listing is also

submitted herewith in accordance with 37 CFR § 1.821(e), and includes no new matter.

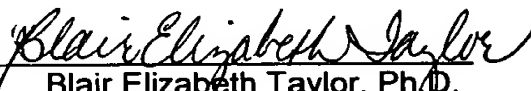
Furthermore, in accordance with 37 CFR § 1.821(f), it is submitted that the contents of the paper and computer readable forms of the Sequence Listing are the same.

In view of the above, it is respectfully submitted that the above-identified application complies with the Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures pursuant to 37 CFR §§ 1.821 et seq.

An early and favorable examination on the merits is earnestly solicited. Should any further information be needed, the Examiner is invited to contact the undersigned.

Respectfully Submitted,

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Enclosure: Appendix, Sequence Listing (paper and CRF),  
Raw Sequence Error Report, Petition

## APPENDIX

### MARK UP VERSION SHOWING CHANGES MADE

#### **IN THE SPECIFICATION:**

Kindly replace the existing paragraphs at page 4, lines 8-25 with the following amended paragraphs.

Figure 1 illustrates zinc finger-DNA interactions [A:], in which panel 1A illustrates a model of classical triplet interactions with DNA base triplets in Zif268 (SEQ ID NO.: 12 shown in the 5' to 3' direction and SEQ ID No.: 14 shown in the 3' to 5' direction); panel 1B illustrates a similar model showing quadruplet interactions (SEQ ID NO: 13 shown in the 5' to 3' direction, and SEQ ID NO.: 14 shown in the 3' to 5' direction); and panel 1C illustrates a model library design for recognition code determination (SEQ ID NO.: 15 shown in 5' to 3' direction and SEQ ID NO.: 1 shown in the 3' to 5' direction).

Figure 2 shows the amino acid sequence of three fingers used for phage display selection in the determination of recognition code, in which F1 is set forth SEQ ID NO.: 16, F2 randomization at position 6 is set forth in SEQ ID NO.: 17, F3 randomizations at residue positions -1 and 2 are set forth in SEQ ID No.: 18 and randomizations at residue positions -1 to 3 are set forth in SEQ ID No.:19.

Figure 3 lists the sequence-specific zinc finger clones obtained from phage selections, and their binding site signatures, corresponding to SEQ IS NOs.: 20-114.

Figure 4 shows the nitrogenous base/amino acid correlation of the clones isolated from phage selections. Recognition patterns are highlighted.

Figure 5 illustrates the sequence-specific interactions selected [for] at position 2 of the  $\alpha$ -helix, binding to position 1 of the quadruplet, for which sequence identifiers are shown.

Figure 6 is a schematic diagram of the construction of a library according to the invention, in which SEQ ID NO.: 14 is set forth in the 3' to 5' direction.

**IN THE FIGURES:**

Kindly replace the originally filed Figure 3 with the attached informally revised Figure 3, in which revisions to the Figure are set forth in red.

**IN THE SEQUENCE LISTING:**

Please enter the attached substitute Sequence Listing in lieu of the Sequence Listing submitted on March 7, 2001.